

### **REMARKS/ARGUMENTS**

Claims 1-19 are pending in the application. Claims 1-19 are rejected. Claims 1, 8, 9, 14, 17, and 19 have been amended. No new matter has been introduced into the application. As explained in more detail below, Applicants submit that all claims are in condition for allowance and respectfully request such action.

#### **Claim Rejections – 35 USC § 103**

Claims 1, 5, 8, 12, 15-16 and 19 are again rejected under 35 U.S.C § 103(a) as being unpatentable over Wells et al. (U.S. Patent No. 5,870,683), in view of Kalra et al. (U.S. Patent No. 5,953,506). Applicants respectfully request reconsideration in view of the following Remark.

The Office Action again alleges that “[i]t would have been obvious to one skilled in the art, at the time of the applicant’s invention, to incorporate the teachings of Kalra et al. into the method taught by Wells et al., because through such incorporation it would allow for said animation to be displayed at a resolution optimized to the capabilities of said mobile station (client computer), thus displaying said animation under the best available conditions while also allowing for said user to increase the quality of said animation . . . .” As an initial matter, the Applicants point out that the Examiner admits that “Wells et al. fails to explicitly teach altering the display resolution of the animation generated by said wireless handheld communication device.” The Applicants respectfully submit, however, that Kalra et al. likewise fails to teach this. The Applicants submit that Kalra et al. does not teach “wherein the generating of the animation by editing . . . alters display resolution of the animation generated by said wireless handheld communication device” as is recited in claim 1 of the Application. Indeed, there is no indication that the wireless handheld communication device or users of such a device may edit any images or animation contained in the received data streams. For instance, the Application recites in relevant part, “changing said bitmap pattern under control of the user of the communication terminal . . . transferring the changes to the remaining images of the sequence.”

(page 3, lines 5–9). Again, Kalra et al. only discloses that the data streams are “decoded and then displayed for the user to experience.” (Col. 4, lines 31– 32). Kalra et al. nowhere states that “changing said bitmap pattern [is] under control of the user . . . .” (page 3, lines 5 – 9). Therefore, although the Examiner correctly notes that Kalra et al. “was not introduced to address” the limitation of “generating an animation in a wireless handheld communication device by editing at least one image in a sequence of images previously stored within the wireless handheld communication device . . . .”, Applicant nevertheless respectfully submits that neither Wells et al. nor Kalra et al. teach, disclose, or suggest individually or in combination, the subject matter of claims 1, 5, 8, 12, 15-16, and 19, and any of their dependent claims.

Further, the Applicants submit that although the Office Action states “It would have been obvious to one skilled in the art,” there is no indication as to why it would have been obvious. Assuming, *arguendo*, that Wells et al. describes a method for operating a wireless user terminal or mobile station to selectively display a plurality of graphical information sequences, there is no teaching or suggestion that would lead a person having ordinary skill in the art to understand Kalra et al. directed to a method or apparatus directed to encoding, storing, transmitting and decoding multimedia information in the form of scalable, streamed digital data that can be accessed by a client computer via a stream server, as providing a means for altering the display resolution provided by the disclosure in Wells et al. Kalra et al. is not directed to “generating an animation in a wireless handheld communication device . . . .” (see claim 1). The two asserted patents are directed to different technologies and problems within those different technologies. Likewise, there is nothing in Kalra et al. to indicate to a person of ordinary skill to combine the disclosure in Kalra et al. with the wireless user terminal or mobile station that displays animation of Wells et al. Rather, the examiner merely states, without more, that such a combination was obvious. However, this is the application of hindsight at its core.

Lastly, it is imperative that both references be taken as a whole. Taken as a whole, Kalra et al. discloses that the data streams are “decoded and then displayed for the user to experience.” (Col. 4, lines 31– 32). Accordingly, as a whole, Kalra et al. assumes that the user would not in

any way “alter[] display resolution.” Thus, the reference in fact teaches away from using Wells et al.

Claims 2, 6-7, 9, 12-14, and 17-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,870,683 to Wells et al., (“the ‘683 patent”) and U.S. Pat. No. 5,953,506 to Kalra et al., (“the ‘506 patent”) as applied to claims 1, 5, 8, 12, 15-16, and 19, in view of U.S. Pat. No. 6,516,202 to Hawkins et al., (“the ‘202 patent”), and further in view of the GIF Construction Set Professional Manual, referred to herein as GCSPM, and the GIF Construction Set Professional Homepage, referred to herein as GCSPH. The Applicants respectfully traverse the rejection in view of the Remarks below.

As set forth above, neither Kalra et al. nor Wells et al. teach, disclose, or even suggest the limitations of the claims from which the rejected claims rely upon. Further, the Applicants respectfully contends that the Examiner has not addressed the fact that applying the “loop block” of GCSPM with the streams of Kalra et al. may merely allow the repetition of a stream already generated and altered on a server side and, as Applicants previously noted, does not teach or suggest at least the “generating” or “altering” techniques as discussed above. Moreover, again, while the Examiner is correct that the GCSPM was not introduced to address “the use of a cellular phone,” the Applicants nonetheless respectfully submit that the three references sighted by examiner represent an example of using hindsight reasoning. The Examiner asserts that it would have been obvious to one having skill in the art to combine Wells et al., Hawkins et al., and GCSPM to create what is disclosed in claim 2 of the application. There is nothing within any of the references cited, however, to indicate that a person having skill in the art would have concluded that combining Hawkins et al., a patent directed to an organizer designed to receive a cellular component to attain improvement in processing power, memory storage and display space, with two additional references, i.e., Wells et al. or a single page of information from GCSPM, would have achieved “A method comprising: generating an animation in a wireless handheld communication device by editing at least one image in a sequence of images . . . wherein the sequence of images is displayed repeatedly for a number of times, a users of the handheld communication device sets said number of times the display of the sequence of images

is to be repeated.” (*see* claim 2). Therefore, the Applicants respectfully request withdrawal of the rejection.

Claims 3, 4, 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,870,683 to Wells et al., (“the ‘683 patent”), U.S. Pat. No. 5,953,506 to Kalra et al., (“the ‘506 patent”), U.S. Pat. No. 6,516,202 to Hawkins et al., (“the ‘202 patent”), GCSPM, and GCSPH, as applied to claims 2, 6, 7, 9, 12-14, 17 and 18, in view of Applicant’s admitted prior art (“AAPA”). For at least the reasons previously stated above, the Applicants respectfully request withdrawal of the rejection.

### **CONCLUSION**

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Applicant believes there is no fee due in association with the filing of this response, however, should there be any fees due the Commissioner is hereby authorized to charge any such fees or credit any overpayment of fees to Deposit Account No. 19-0733.

Respectfully submitted,

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